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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ESCANDON JR.,

Defendant.

CASE NO. 1:18-CR-185-JLT-SKO/1:23-CR-222-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: June 5, 2024.
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and James Escandon Jr.,
by and through defendant's counsel of record, Alekxia L. Torres Stallings hereby stipulate as follows:

1. By previous order, this matter was set for status on June 5, 2024. By minute order, the
court directed the parties to meet and confer to select a mutually convenient trial date.

2. By this stipulation, defendant now moves to vacate the status conference and docket the
case for trial December 3, 2024, and to exclude time between June 5, 2024., and December 3, 2024,
under 18 U.S.C. § 3161(h)(7)(A), B(iv). The parties anticipate the trial will last approximately 4 days.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government provided discovery to defense counsel on November 13, 2024.
Defense counsel has reviewed the discovery and is in the process of conducting her own

1 investigation. Defense counsel sent a request for additional discovery on May 29, 2024. The
2 government does not currently possess this discovery but will seek it and provide it to the
3 defense.

4 b) The parties will engage in discussions regarding a resolution of the case. The
5 Government has not provided a plea offer to Mr. Escandon Jr. The parties request additional time
6 to discuss potential resolution of the case.

7 c) Counsel for the defendant desires additional time to consult with her client, to
8 review the current charges, to conduct investigation and research related to the charges, to review
9 and/or copy discovery for this matter, to discuss potential resolutions with her client, to prepare
10 pretrial motions, and to otherwise prepare for trial.

11 d) Counsel for the defendant believe that failure to grant the above-requested
12 continuance would deny them the reasonable time necessary for effective preparation, taking into
13 account the exercise of due diligence.

14 e) The government does not object to the continuance.

15 f) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of June 5, 2024. to December 3,
20 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) , because it
21 results from a continuance granted by the Court at defendant's request on the basis of the Court's
22 finding that the ends of justice served by taking such action outweigh the best interest of the
23 public and the defendant in a speedy trial.

24 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
25 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
26 must commence. IT IS SO STIPULATED.

1 DATED: May 30, 2024

PHILLIP A. TALBERT
United States Attorney

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3 By: /s/ Arin C. Heinz
ARIN C. HEINZ
4 Assistant U.S. Attorney

5 DATED: May 30, 2024

By: /s/ Alekxia L. Torres Stallings
ALEKXIA L. TORRES STALLINGS
6 Attorney for Defendant
7 JAMES ESCANDON JR.
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9 IT IS SO ORDERED.

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11 DATED: 5/31/2024

Sheila K. Oberto
HON. SHEILA K. OBERTO
12 UNITED STATES MAGISTRATE JUDGE
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